Forest Land-Jalgaon

Re-Diversion of 0.235 ha. of Forest land in favour of M/s. Jio Digital Fiber Pvt. Ltd., Pune for laying underground Optical Fiber Cable Within RoW of the Existing Road of Jamner-Shelwad Road in District Jalgaon in the State of Maharashtra.

Government of Maharashtra
Revenue and Forest Department
Government Order No.: FLD- 2924/CR.156/F-10
Mantralaya, Mumbai-400 032
Date: 26.07.2024

Reference:

Additional Principal Chief Conservator of Forests & Nodal Officer, MS, Nagpur Letter No. Desk-17/Dhule/OFC/PID-471493/682/2024-25, Dt.20.06.2024.

Preamble:-

M/s. Jio Digital Fiber Pvt Ltd., Pune has submitted a proposal for diversion of 0.235 ha. of Forest land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for laying underground Optical Fiber Cable Within RoW of the Existing Road of Jamner-Shelwad Road in District Jalgaon to the State Forest Department. APCCF & Nodal Officer has submitted this proposal to Government of Maharashtra vide letter under referred above.

Order:-

In exercise of powers under general approval given by MoEF&CC, Govt. of India vide Handbook of FCA Guidelines-2023, Chapter 4 (para-4.2), Government of Maharashtra is pleased to grant **'In-principle'** approval to the diversion of 0.235 ha. of Forest land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s. Jio Digital Fiber Pvt LTD. Pune for laying underground Optical Fiber Cable within RoW of the Existing Road of Jamner-Shelwad Road in Jalgaon District in the State of Maharashtra.

2. The details of Forest Land proposed for diversion are as under:-

Sr. No	Name of Village	Forest land required for OFC within ROW			Area (in ha.)	Legal Status
		Gut No.	Compt. No.	L. x W. (in mt.)		
1	Jamner	859	487	164 x 1	0.164	RF
2	Sonari	270	483	560 x 1	0.056	RF
3	Wadi	27	589	145 x 1	0.015	RF
	Total Forest Land Required				0.235	

3. <u>This 'In-principle' approval is issued subject to the following conditions-</u>

1) The legal status of the land shall remain unchanged.
2) User Agency shall defray the cost of plantation (including ten years maintenance) of 100 trees shall be levied from the User Agency towards Compensatory Afforestation. As far as possible, a mixture of local indigenous species along with 10% RET species of Jalgaon District shall be planted and monoculture of any species may be avoided. Details of land proposed for Plantation (Record of Rights & KML File), shall be submitted before Stage-II/Final approval.
3) The Optical Fiber Cable Line will be laid within maximum size of the trench of 2 meter depth & 1.0 meter width with cable line under the OFC pipeline.
4) If User Agency has not submitted bank guarantee or paid security deposit with concern road authority (NHAI/MSRDC/PWD/ZP), the agency shall submit a bank guarantee at the rate of Rs.50/- per running meter and an undertaking to that effect shall also be submitted. If the agency fails to reclaim the land to the satisfaction of concerned Deputy Conservator of Forests, the cost for reclamation will be covered from the bank guarantee.
5) If the cable is going to be laid in the formation width of the road, then additional charges in form of bank guarantee shall be given at the rate of Rs.35/- per running meter. Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs.300/- per meter and Rs.750/- per meter respectively. An undertaking shall be obtained from the User Agency that it has agreed to make good any loss to Forest/ Environment while laying the cable in the forest area and during maintenance of the same in future. For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
6) The forest land shall not be used for any purpose other than specified in the proposal.
7) No felling of trees shall be done during the implementation of project.
8) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
9) The User Agency shall pay the cost of Net Present Value, if required in future.
10) Underground Optical Fiber Cable can be laid only outside the confines of the Protected Areas.
11) No labour camp shall be established on the forest land.
12) After completion of the project, User Agency will reclaim the area under RoW suitably.
13) The layout plan of the proposal shall not be changed without prior approval of the State Government.
14) This sanction is subject to the final clearance by the Department of Information & Technology for the project and concerned road authorities for the project.
15) The User Agency shall compensate the private owners of forest land if any, in accordance with the prevalent laws, rules & guidelines.

16) The User Agency shall obtain Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
17) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied by the User Agency.
18) All the conditions stipulated by the Forest Department shall be binding on User Agency.
19) The User Agency shall make good of any loss to Forest / Environment.
20) In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, prior permission of the State Board for Wildlife and Chief Wildlife Warden should be obtained as per relevant guidelines in this regard.
21) All necessary approvals required for the project as per the prevailing laws of the land would be obtained by the User Agency.
22) Any breach of the conditions by the User Agency will be treated as violation of the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

3. This Government Order is available at the Government of Maharashtra's website www.maharashtra.gov.in with reference No 202407261535003419. This Order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

GANESH TUKARAM JADHAO

Digitally signed by GANESH TUKARAM JADHAO
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(Ganesh Jadhao)
Under Secretary to the Government of Maharashtra

Copy to:-

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi.
2. Deputy Director General of Forest (Central), Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
3. Principal Chief Conservator of Forests (Head of Forest Force), Nagpur.
4. Principal Chief Conservator of Forests & CEO (Maha-CAMPA), Nagpur.
5. Additional Principal Chief Conservator of Forests & Nodal Officer, Nagpur.
6. Additional Principal Chief Conservator of Forests (Conservation), Nagpur.
7. Collector, Jalgaon.
8. Chief Executive Officer, Zilha Parishad, Jalgaon.
9. Conservator of Forests (T), Dhule.
10. Deputy Conservator of Forests (T), Jalgaon.
11. M/s. Jio Digital Fiber Pvt Ltd., Pune.
12. Select File-F-10.